

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

TASER INTERNATIONAL, INC., <i>et al.</i> ,))	
)	Case No.: 1:10-CV-03108-JEC
Plaintiffs,))	
)	
v.))	[On removal from the State
)	Court of Fulton County,
MORGAN STANLEY & CO., INC., <i>et al.</i> ,))	Georgia Case No.:
)	2008-EV-004739-B]
Defendants.))	
)	

**PLAINTIFFS' MOTION TO COMPEL DEFENDANT MERRILL LYNCH
PROFESSIONAL CLEARING CORP. TO IDENTIFY CERTAIN
EMPLOYEES LIKELY TO HAVE RESPONSIVE INFORMATION AND
TO PRODUCE DOCUMENTS FROM A LIMITED SET OF PERSONS**

Plaintiffs hereby move the Court, pursuant to Federal Rule of Civil Procedure 37 and Local Rule 37.1, to compel Defendant Merrill Lynch Professional Clearing Corp. (“ML Pro”) to identify custodians and produce documents responsive to Plaintiffs’ First Set of Document Requests to ML Pro. Plaintiffs request that the Court award Plaintiffs the attorneys’ fees and costs they incur in connection with this motion pursuant to Federal Rule of Civil Procedure 37(a)(5).

Respectfully submitted, this 14th day of January, 2011.

/s/ Elizabeth G. Eager

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ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF CONFERRAL

The undersigned hereby certifies that she conferred with counsel for Merrill Lynch Professional Clearing Corp. in a good faith effort to resolve the matters involved in Plaintiffs' Motion to Compel Defendant Merrill Lynch Professional Clearing Corp. to Identify Certain Employees Likely to Have Responsive Information and To Produce Documents From a Limited Set Of Persons, and that the effort to resolve those matters by agreement has failed.

This 14th day of January, 2011.

/s/ Elizabeth G. Eager
Elizabeth G. Eager
Georgia Bar No. 644007

CERTIFICATE OF COMPLIANCE

Pursuant to Local Rule 7.1D of the Local Rules for the District Court for the Northern District of Georgia, I hereby certify that the foregoing pleading has been prepared in Times New Roman, 14 point font, as permitted by Local Rule 5.1B.

Respectfully submitted this 14th day of January, 2011.

/s/ Elizabeth G. Eager
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CERTIFICATE OF SERVICE

I hereby certify that on this day, a true and correct copy of the foregoing **PLAINTIFFS' MOTION TO COMPEL** was electronically filed with the Clerk of Court using the Court's electronic filing system which will automatically send an email notification of such filing to the following attorneys of record who are registered participants in the Court's electronic notice and filing system:

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Further, I hereby certify that on this day, I caused to be served a true and correct copy of the foregoing by United States mail and electronic mail on:

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Further, I hereby certify that on January 14, 2011, I served a true and correct

copy of the foregoing by electronic mail on all of the attorneys identified above.

This 18th day of January, 2011.

/s/ Elizabeth G. Eager

Elizabeth G. Eager

Georgia Bar No. 644007